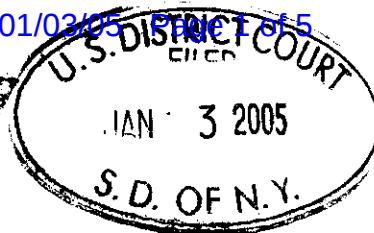


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA :

INDICTMENT

- v. - :

WILLIAM P. GENOVESE, JR.,  
a/k/a "illwill,"  
a/k/a "xillwillx@yahoo.com,"

05 Cr. — 05 CRIM. — 04

Defendant. :

- - - - - x

COUNT ONE

(Unlawful Distribution of Trade Secrets)

The Grand Jury charges:

1. From in or about February 2004, up to and including in or about July 2004, in the Southern District of New York and elsewhere, WILLIAM P. GENOVESE, JR., a/k/a "illwill," a/k/a "xillwillx@yahoo.com," the defendant, knowingly, willfully, and unlawfully, and without authorization, did copy, duplicate, download, upload, replicate, transmit, deliver, send, communicate, and convey a trade secret that is related to and included in a product that is produced for and placed in interstate and foreign commerce with the intent to convert that trade secret to the economic benefit of someone other than the owner thereof, and intending and knowing that the offense would injure the owner of the trade secret, to wit, GENOVESE, without

authorization, downloaded, copied, sold, and attempted to sell the source code for the computer programs Microsoft Windows NT 4.0 and Windows 2000.

(Title 18, United States Code, Sections 1832(a)(2), 1832(a)(4) and 2).

**FORFEITURE ALLEGATIONS**

2. As a result of committing the offense alleged in Count One of this Indictment, WILLIAM P. GENOVESE, JR., a/k/a "illwill," a/k/a "xillwillx@yahoo.com," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1834, (1) any property constituting, and derived from, proceeds obtained directly and indirectly as the result of such violations; and (2) any property used, and intended to be used, in any manner and part, to commit and facilitate the commission of such violation, including but not limited to the following:

- a. a sum of money representing the amount obtained as a result of the unlawful distribution of trade secrets charged in Count One;
- b. one Dell laptop computer Model PP01L, Serial Number 5JXD021;
- c. one HP Pavilion computer, Serial Number US91562786;
- d. one Generic computer tower, labeled item 7 with scorpion logo;

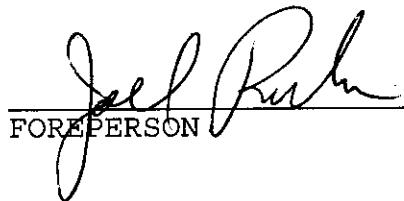
- e. one Linksys Wireless-G Broadband router, Serial Number CDF5-0D635390;
- f. one Sony Vaio laptop computer Model PCG-5201, Win 18 SE Product Key, JCC76-Q3YBT-GPTVQ-C4R6R-6KBJJ;
- g. one HP Pavilion laptop computer Model ZE1000, Serial Number TW22709013;
- h. one HP Pavilion computer Model 512W, Serial Number KR22400693;
- i. one AST Bravo computer Model MS-T Pro 6180, Serial Number 456AW5002253;
- j. one Generic computer tower labeled item 6.

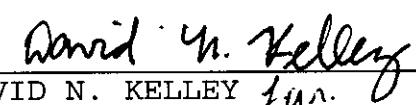
Substitute Asset Provision

- 3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:
  - a. cannot be located upon the exercise of due diligence;
  - b. has been transferred or sold to, or deposited with, a third person;
  - c. has been placed beyond the jurisdiction of the Court;
  - d. has been substantially diminished in value; or
  - e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 1834.)

  
\_\_\_\_\_  
FOREPERSON

  
\_\_\_\_\_  
DAVID N. KELLEY *jun.*  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

WILLIAM P. GENOVESE, JR.,  
a/k/a "illwill,"  
a/k/a "xillwillx@yahoo.com,"

Defendant.

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**INDICTMENT**

05 Cr.

(Title 18, United States Code,  
Sections 1832 and 2)

DAVID N. KELLEY  
United States Attorney.

A TRUE BILL

  
\_\_\_\_\_  
Foreperson.

Post 11-187

1/3/65-  
End. Filed  
Ellis, J.